

1 THE HONORABLE BENJAMIN H. SETTLE  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA, ) Case No.: CR13-5308BHS  
11 vs. Plaintiff, )  
12 RAY EUGENE CALDWELL, ) AGREED ORDER POSTPONING TRIAL  
13 Defendant. ) UNTIL THURSDAY, OCTOBER 31, 2013  
14 \_\_\_\_\_)

15 Before this Court is a stipulated motion to postpone the trial in the above captioned matter  
16 to Thursday, October 31, 2013. The government stipulating to said postponement, the Court  
17 finds, after a consideration of all relevant information and the circumstances of this case, that  
18 without this postponement the defendant will be prejudiced and the ability to properly prepare for  
19 trial would be impaired. Failure to grant a postponement under these circumstances would result  
20 in a miscarriage of justice. The ends of justice would best be served by the granting of the motion  
21 for postponement. The ends of justice outweigh the best interests of the public and the defendant  
22 in having the matter continue sooner.

23 For these reasons, the Court finds the stipulated motion for postponement should be  
24 granted. The trial is hereby postponed. Trial shall resume on Thursday, October 31, 2013 at 9:00  
25 a.m.  
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AGREED ORDER POSTPONING TRIAL - 1

HESTER LAW GROUP, INC., P.S.  
1008 So. Yakima Ave., Suite 302  
Tacoma, WA 98405  
(253) 272-2157/Fax: (253) 572-1441

1 IT IS SO ORDERED.  
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DONE this 8<sup>th</sup> day of October, 2013.

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BENJAMIN H. SETTLE  
United States District Judge

Presented by:

HESTER LAW GROUP, INC., P.S.  
Attorneys for Defendant

/s/ *Wayne C. Fricke*

By: \_\_\_\_\_  
Wayne C. Fricke  
WSB #16550

U.S. ATTORNEY'S OFFICE

*Approved Via E-Mail: 10/08/2013*

By: \_\_\_\_\_  
James D. Oesterle  
Assistant U.S. Attorney

AGREED ORDER POSTPONING TRIAL - 2

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